

REMARKS/ARGUMENTS:

Reconsideration of the present application is respectfully requested. Claims 1, 5, 22, and 27 have been amended, so that claims 1-36 are presently pending. Claims 1 and 22 are independent.

In the Office Action dated January 16, 2007, claims 1-5, 7, and 14 are rejected under 35 U.S.C. § 102(b) as being anticipated by U.S. Patent No. 3,138,156 to Crowell et al. ("Crowell '156"). Also in the Office Action, claims 6, 8-13, and 15-36 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Crowell '156 in view of U.S. Patent No. 6,158,253 to Svoboda ("Svoboda '253") and/or 4,840,635 to Smith ("Smith '635"). For the reasons which follow, this rejection is respectfully traversed. Furthermore, Applicant respectfully submits that none of the prior art references of record, when considered singly or in combination, show or suggest the use of the claimed invention.

Turning initially to amended claim 1, an above knee shrinker for applying therapeutic compression to a wearer's leg residual limb is recited as including a waist belt and a tubular fabric receptacle dimensioned and configured to be worn on the residual limb and apply a compressive force to the residual limb when the shrinker is donned. A U-shaped edge of the receptacle is recited adjacent the top end. Moreover, the receptacle is dimensioned so as to be longer than the residual limb. The shrinker further includes a removeable constricting element operable to constrict the receptacle to facilitate doubling over of the receptacle, wherein the bottom end of the receptacle is spaced between the top end of the receptacle and an end of the residual limb when the shrinker is

donned. The element is vertically moveable along the receptacle to adjust a length of the doubled over portion of the receptacle.

The shrinker recited in amended claim 1 provides numerous advantages over the prior art. For example, the length of the shrinker can be changed without altering the position of the top end of the receptacle relative to the waist belt. Also, the doubling over of the receptacle provides for full compression around the end of the residual limb where it can be most beneficial while allowing for less compression further up the leg as discussed in the detailed description (see paragraph 27).

Amended independent claim 22 is similar in several respects to claim 1. Specifically, claim 22 recites an above knee shrinker for applying therapeutic compression to a wearer's leg residual limb is recited as including a waist belt and a tubular fabric receptacle dimensioned and configured to be worn on the residual limb and apply a compressive force to the residual limb when the shrinker is donned. The receptacle is dimensioned so as to be longer than the residual limb. The shrinker further includes a removeable constricting element operable to constrict the receptacle to facilitate doubling over of the receptacle, wherein the bottom end of the receptacle is spaced between the top end of the receptacle and an end of the residual limb when the shrinker is donned. The constricting element is vertically moveable along the receptacle to adjust a length of the doubled over portion of the receptacle. Although amended claim 22 does not recite the U-shaped opening of the receptacle, the claimed shrinker provides many of the same advantages of the structure recited in amended claim 1.

Turning now to the cited prior art, Crowell '156 discloses a sleeve (11) with a belt (13) at the upper end and a lower binding (17) at the lower end. A draw string (14) is passed through the lower binding (17) and "can be pulled and knotted to close opening (19)" (Col. 2, Lines 46-47). Specifically, the sleeve (11) is only able to be closed *at the lower end of the sleeve* (11), which is "drawn tightly about the end of the stump" (Col. 2, Lines 66-67).

While the examiner states that the sleeve (11) is "*capable* of being doubled over the residual limb," Crowell '156 does not disclose or suggest use of the sleeve (11) in this manner. That is to say, nothing in Crowell '156 suggests that the sleeve (11) should be longer than the residual limb so that a portion could be doubled over the limb. In fact, Crowell '156 teaches that the end of the sleeve (11) should be positioned precisely at the end of the residual limb so that the draw string (14) can be drawn tight to close the sleeve (11) at the end of the limb. Furthermore, Crowell '156 does not disclose any element to constrict the sleeve (11) spaced from the end. Therefore, although it might be possible for the sleeve (11) to be longer than the limb, Crowell '156 fails to show or suggest the use of a vertically moveable constricting element to facilitate doubling over of the sleeve. In view of the foregoing, Crowell '156 does not show or suggest the use of the structure recited in amended independent claim 1.

Svoboda '253 and/or Smith '635 are cited in combination with Crowell '156 to reject claim 22 because of the asserted disclosure of core-spun yarn and laid in elastic in these secondary references. However, Svoboda '253 and Smith '635 each disclose a receptacle that is closed at its lower end and is dimensioned to have a length that matches the underlying anatomical structure.

Accordingly, even if the sleeve (11) of Crowell '156 were modified with the type of elastic material of Svoboda '253 and/or Smith '635, the resulting hypothetical combination would still fail to show or suggest the positively recited limitations as required by amended claim 22 (for reasons analogous to the distinctions which apply to claim 1).

Therefore, Applicant respectfully submits that amended independent claims 1 and 22 recite structure not shown or suggested by the prior art references of record. Claims 1 and 22 are consequently in condition for allowance. It is also respectfully submitted that claims 2-21 and 23-36, which depend directly and indirectly from allowable claims 1 and 22, and set forth further details of the invention not shown or suggested by the references cited, are also in full condition for allowance.

In view of the foregoing remarks, Applicant respectfully submits that the present application should now be in full condition for allowance and such allowance is courteously solicited. Should the Examiner have any questions regarding this amendment, please contact the undersigned at (800) 445-3460.

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The Commissioner is hereby authorized to charge any fees which may be associated with this communication to Deposit Account No. 19-0522.

Respectfully submitted,

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